

## UNITED STATES DISTRICT COURT

for the  
Southern District of IllinoisTERRELL Taylor

Plaintiff(s)/Petitioner(s)

v.

A. HaynesJ. DavisChief K. HunterSgt. Fosse

Defendant(s)/Respondent(s)

Case Number:

23-309-JPG  
(Clerk's Office will provide)☐ CIVIL RIGHTS COMPLAINT

pursuant to 42 U.S.C. §1983 (State Prisoner)

☒ CIVIL RIGHTS COMPLAINT

pursuant to 28 U.S.C. §1331 (Federal Prisoner)

☐ CIVIL COMPLAINT

pursuant to the Federal Tort Claims Act, 28 U.S.C.

§§1346, 2671-2680, or other law

Trial by Jury

## I. JURISDICTION

## Plaintiff:

- A. Plaintiff's mailing address, register number, and present place of confinement.

404 Van Buren St.  
Marion, IL 62959,  
Williamson County JailI.d.# 305527

## Defendant #1:

- B. Defendant
- A. Haynes
- is employed as

(a) (Name of First Defendant)

Correctional officer

(b) (Position/Title)

with Williamson County Sheriff's Department,

(c) (Employer's Name and Address)

404 N. Van Buren St., Marion, Illinois 62959At the time the claim(s) alleged this complaint arose, was Defendant #1 employed by the state, local, or federal government? ☒ Yes ☐ NoIf your answer is YES, briefly explain: works for Williamson county sheriff's Department, employed local, works at the Williamson county Jail

**Defendant #2:**

C. Defendant J. Davis is employed as

(Name of Second Defendant)

Correctional officer

(Position/Title)

with Williamson County Sheriff's Department,

(Employer's Name and Address)

404 N. Van Buren St, Marion, Illinois 62959

At the time the claim(s) alleged in this complaint arose, was Defendant #2 employed by the state, local, or federal government? ☒ Yes ☐ No

If you answer is YES, briefly explain: employed locally; works at the Williamson County Jail.

**Additional Defendant(s) (if any):**

D. Using the outline set forth above, identify any additional Defendant(s).

- 3.) Defendant Chief K. Hunter is employed as correctional officer with Williamson County Sheriff's Department, 404 N. Van Buren St., Marion, Illinois 62959. Defendant employed locally working at the Williamson County Jail.
- 4.) Defendant Fosse is employed as correctional officer with Williamson County Sheriff's Department, 404 N. Van Buren St., Marion, IL, 62959. Defendant employed locally working at Williamson County Jail.
- 5.) A. Bandy; defendant is employed as correctional officer with Williamson County Sheriff Dept., 404 N. Van Buren St., Marion, IL 62959. Defendant employed locally working at Williamson County Jail.
- 6.) Defendant Chad Havers is employed as correctional officer with Williamson County Sheriff's Dept., 404 N. Van Buren St., Marion, IL 62959. Defendant employed locally working at Williamson County Jail.
- 7.) Defendant D. Pinkerton is employed as correctional officer with Williamson County Sheriff's Dept., 404 N. Van Buren St., Marion, IL 62959. Defendant employed locally working at Williamson County Jail.

## II. PREVIOUS LAWSUITS

A. Have you begun any other lawsuits in state or federal court while you were in prison or jail (during either your current or a previous time in prison or jail), e.g., civil actions brought under 42 U.S.C. § 1983 (state prisoner), 28 U.S.C. § 1331 (federal prisoner), 28 U.S.C. §§ 1346, 2671-2680, or other law? ☒ Yes ☐ No

B. If your answer to "A" is YES, describe each lawsuit in the space below. If there is more than one lawsuit, you must describe the additional lawsuits on another sheet of paper using the same outline. List ALL lawsuits in any jurisdiction and indicate the court where they were filed to the best of your ability, including those that resulted in the assessment of a "strike" under 28 U.S.C. § 1915(g) and/or those that were dismissed for being frivolous, malicious, or for failure to state a claim (see 28 U.S.C. § 1915A; 28 U.S.C. § 1915(e)(2); Federal Rule of Civil Procedure 12(b)(6)). FAILURE TO FULLY DISCLOSE YOUR LITIGATION HISTORY, INCLUDING "STRIKES," MAY RESULT IN SANCTIONS THAT INCLUDE DISMISSAL OF THIS ACTION.

1. Parties to previous lawsuits: TERRELL TAYLOR  
Plaintiff(s):

Defendant(s): Johnathon Brotz

2. Court (if federal court, name of the district; if state court, name of the county): South Eastern District Court

3. Docket number: 1:19-CV-10 JAR

4. Name of Judge to whom case was assigned: John A. Ross

5. Type of case (for example: Was it a habeas corpus or civil rights action?): Civil Rights action

6. Disposition of case (for example: Was the case dismissed? Was it appealed? Is it still pending?): dismissed

7. Approximate date of filing lawsuit: *N/A*
8. Approximate date of disposition: *29<sup>th</sup> day of July, 2019*
9. Was the case dismissed as being frivolous, malicious, or for failure to state a claim upon which relief may be granted and/or did the court tell you that you received a "strike?"
- failure to state a claim*

### III. GRIEVANCE PROCEDURE

A. Is there a prisoner grievance procedure in the institution? ☒ Yes ☐ No

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? ☐ Yes ☒ No

C. If your answer is YES,  
1. What steps did you take?

2. What was the result?

D. If your answer is NO, explain why not. *I'm in fear of my safety and security. Also, not wanting to be subjected to any further cruel and unusual punishment and staff retaliation.*

E. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities? ☐ Yes ☒ No

F. If your answer is YES,  
1. What steps did you take?

2. What was the result?

- G. If your answer is NO, explain why not. No, because im in fear of being subjected to any further cruel and unusual punishment and staff retaliation.
- H. Attach copies of your request for an administrative remedy and any response you received. If you cannot do so, explain why not:

Due to the position that im in I did not follow through with any administrative remedies, In this case administrative Remedy forms is no option.

#### IV. STATEMENT OF CLAIM

- A. State here, as briefly as possible, when, where, how, and by whom you feel your constitutional rights were violated. Do not include legal arguments or citations. If you wish to present legal arguments or citations, file a separate memorandum of law. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. If your claims relate to prison disciplinary proceedings, attach copies of the disciplinary charges and any disciplinary hearing summary as exhibits. You should also attach any relevant, supporting documentation.

Plaintiff's Rights under the eighth and fourteenth Amendments to the United States Constitution have been violated.

1.) Defendant A. Haynes used excessive force against plaintiff Taylor by bashing his head to the floor and punching him in the face when Taylor was not violating any prison rule and was not acting disruptively in any way. Defendant Haynes' actions violated Plaintiff Taylor's Rights the eighth and fourteenth Amendment to the United States Constitution and caused Plaintiff Taylor pain, suffering, physical injury, and emotional distress.

2.) Defendant A. Haynes used and continues to use excessive force against Plaintiff Taylor by bashing his head into the floor and punching him in the face repeatedly when Taylor is not violating any prison rule or acting disruptively in any way. Defendant A. Haynes' actions violated and continues to violate Plaintiff Taylor's Rights under the eighth and fourteenth Amendment to the United States Constitution and is causing Plaintiff Taylor pain, suffering, physical injury, and emotional distress.

3.) By witness Defendant A. Haynes' illegal actions committing assault and battery, acting under the color of law, failing to correct that misconduct, and exacerbating the consequences of the misconduct, Defendants Chief Hender, Sgt Fosse, Lt Proberton, A. Bandy, and another officer (whose name is currently unknown) is also violating Plaintiff Taylor's Rights under the eighth and fourteenth Amendment to the United States Constitution. These illegal actions are causing Plaintiff Taylor pain, suffering, physical injury, and emotional distress.

4.) Defendant Davis used excessive force against plaintiff Taylor by punching him in the thigh when Taylor was not acting disruptively in any manner. Defendant Davis' actions violated Plaintiff Taylor's Rights to the eighth and fourteenth Amendment under the United States Constitution and caused Plaintiff Taylor pain, suffering, physical injury, and emotional distress.

→ continued see attach  
pages Exhibit A and B

**V. REQUEST FOR RELIEF**

State exactly what you want this court to do for you. If you are a state or federal prisoner and seek relief which affects the fact or duration of your imprisonment (for example: illegal detention, restoration of good time, expungement of records, or parole), you must file your claim on a habeas corpus form, pursuant to 28 U.S.C. §§ 2241, 2254, or 2255. Copies of these forms are available from the clerk's office.

- 1.) Granting Plaintiff a declaration that the acts and omissions described herein violate his Rights under the Constitution and laws of the United States, and  
 2.) A preliminary and permanent injunction ordering defendants A. Haynes, J. Davis, and Chief Kiltwater to cease their physical violence and threats toward Plaintiff, and  
 3.) Granting Plaintiff compensatory damages in the amount of \$100,000 against each defendant, jointly and severally. → continued see attach pg. Exhibit C

**VI. JURY DEMAND (check one box below)**

The plaintiff ☒ does ☐ does not request a trial by jury.

**DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11**

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions.

Signed on: 09-27-2023  
(date)

  
Signature of Plaintiff

404 N. Van Buren St  
Street Address

TERRELL Taylor  
Printed Name

Marion, Illinois 62959  
City, State, Zip

305527  
Prisoner Register Number

\_\_\_\_\_  
Signature of Attorney (if any)



On the 12<sup>th</sup> day of May, 2023 approximately around 8:30 am after I arrived in Williamson County Jail, I refused to give my socks to Officer Haynes.

Correctional Officer Haynes directed me once more to hand-over my pair of socks before he approached me. Haynes grabbed me by my elbows shaking me. I tried to free myself from his grip, but to no avail. He then swings his right arm around my neck, placing me in a choke-hold, and which I freed myself from immediately before he tried body slamming me to the floor.

Haynes lost his footing, tripping over his own feet, falling to the floor. He lands on his backside, I instantly knelt to the floor with my hands up saying, 'I'm not resisting, i'm not resisting.'

I was on my stomach by the time Correctional officers A. Bandy, Chief Hunter, Lt. Pinkerton, Sgt. Fosse and another officer which name is unknown made it to the scene to assist officer Haynes. While being restrained and placed in handcuffs, officer Haynes got up standing on his knees. He grabbed me by my hair, bashed my head into the concrete floor, then started punching me in my face, bashed my head into the floor two more times, and punched me in my face three more times. While do so, I said, 'Damn he's beating my ass.'

Officer Haynes continued with his maladaptive behaviors, bashing my head into the ground two more times for the last time. I cried out seeing blood coming from my head, 'You all are going to sit here and allow him to do this to me?' With no response, I was picked up from the floor and hauled off into holding cell Room #5.

While pleading for medical attention, the restraints were





being removed. I was told by Chief Hunter if I was to turn around that I'll need more than medical treatment as they made their exit.

I bled out for quite some time before I was transported to an outside hospital. There I received stitches above my left eye which was black due to the blows I took to the face. X-Rays showed that the left side of my nose was broken, but not too severe for surgery.

Further, I was stripped of all my clothing, dressed in a suicide smock and confined to a restraining chair strapped down to remain there for 24hrs, for reasons unknown.

Being restrained to the chair since 4pm, around 2am the 13<sup>th</sup> day of May, 2023 I was permitted to walk a few laps to bring a circulation of blood throughout my legs. I complained to the officers during that time that I was having severe chest pains that arose from me being cold. Officer Davis continued to ignore me and continued to try and force my hands within the straps of the chair, but to no avail. So, Officer Davis balled up his hands into a tight fist and started hammering down on my right thigh until I gave up and allowed him to restrain me to the restraining chair.

During and after the 24hrs in the restraining chair, I've been deprived of food. Officers and staff members failed to supply me with any meal based off of my food allergies and religious preference. I've been subjected to starve for numerous days.





- 4.) Plaintiff seeks compensatory damages of \$100,000<sup>00</sup> against defendants Attaymes and J. Davis only, jointly and severally.
- 5.) Plaintiff seeks nominal damages and punitive damages in the amount of \$50,000<sup>00</sup>. Plaintiff seeks these damages against each defendant, jointly and severally.
- 6.) Plaintiff seeks \$250,000,000<sup>00</sup> for physical and emotional damage against each defendant jointly and severally.
- 7.) Plaintiff also seek recovery of his costs in this suit, and any additional relief this court deems just, proper, and equitable.

Plaintiff Taylor has no plain, adequate, or complete remedy at law to redress the wrongs described herein. Plaintiff Taylor has been and will continue to be irreparably injured by the conduct of the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks.







Terrell Taylor  
404 N. Van Buren St.  
Marion, IL 62959

Legal  
&  
Confidential Mail

Clerk  
United States District Court  
750 MISSOURI AVE.  
East St. Louis, IL 62201

MAIL CLERK  
US MARSHALS



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